

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BALKRISHNA SETTY, *et al.*,

Plaintiffs,

v.

SHRINIVAS SUGANDHALAYA LLP, *et al.*,

Defendants.

Case No. C17-1146-MLP

ORDER

This matter is before the Court on the parties’ “Joint Status Update and Request to Extend Stay of Proceedings” (“Status Report”). (Dkt. # 125.) On January 25, 2023, the parties notified the Court of a global settlement in principle resolving all claims in this action as well as “certain disputes pending in arbitration and/or in the courts of India.” (Dkt. # 122 at 1.) The parties represented that the settlement depended on “one or more parties taking steps that may require several weeks to complete.” (*Id.*) Based on the parties’ stipulation, the Court ordered all deadlines stayed for 60 days, after which time the parties would file a stipulation of dismissal with prejudice or a status update “with a proposed schedule for all pre-trial deadlines.” (*Id.*)

On March 27, 2023, the parties filed a joint status report, requesting an additional 60 days for the parties to take “steps that may require several more weeks to complete.” (Dkt. # 123 at 2.)

1 Such steps included “changes to certain corporate documents in India and associated filings that
2 must be made with the appropriate regulatory body in India.” (*Id.*) The parties stated that within
3 60 days they would file either a stipulation of dismissal with prejudice or a notification that they
4 require additional time. (*Id.*)

5 On March 29, 2023, the Court granted the parties’ request for additional time and
6 required that within 60 days the parties either: (1) file a stipulation of dismissal; or (2) provide a
7 detailed explanation of what steps remain before settlement can be perfected and how long such
8 steps would be expected to take. (Dkt. # 124.)

9 On May 30, 2023, the parties filed the instant Status Report, requesting an additional 60
10 days for parties to take “steps that may require several more weeks to complete.” (Dkt. # 125 at
11 2.) In the Status Report, the parties reveal that their memorandum of understanding established
12 two preconditions to final execution of the settlement agreement. (*Id.*) The parties note that on
13 April 25, 2023, they accomplished the first precondition of the settlement agreement by changing
14 the name of Shrinivas Sugandhalaya LLP to Shrinivas Sugandhalaya (MUM)/Mumbai LLP. (*Id.*)

15 The parties contend they need additional time to accomplish the second precondition,
16 which is “the assignment of any Intellectual Property of Shrinivas Sugandhalaya registered in the
17 name of Mr. KSN Setty or his family members/legal entities to Shrinivas Sugandhalaya.” (Dkt.
18 # 125 at 2-3.) The parties explain that this requires changing the ownership or registration status
19 of “more than 350 trademarks and brands.” (*Id.* at 3 (emphasis omitted).) The parties report that
20 they have exchanged lists of intellectual property and are in the process of reconciling the
21 respective lists so that the contemplated assignments may be completed. (*Id.*) The parties state
22 that the extension of the current stay of all deadlines in this matter would materially aid in
23 finalizing the global settlement. (*Id.* at 4.)

1 The parties state that within 60 days they will file either a stipulation of dismissal with
2 prejudice or a notification that they require additional time. (Dkt. # 125 at 4.) However, the
3 parties also reveal, for the first time, that they anticipated the ownership and registration changes
4 would be such “a time-consuming exercise” that their “governing memorandum of
5 understanding provides that the parties ‘shall endeavor’ to complete the assignments on or before
6 1 September 2023.” (*Id.* at 3.)

7 The Court, having reviewed the Status Report, concludes that additional time is
8 warranted for the parties to finalize settlement. However, no active dispute currently exists for
9 the Court to adjudicate. Accordingly, the Clerk is directed to administratively CLOSE this case.
10 On or before **September 5, 2023**, the parties are ORDERED to file a stipulation of dismissal or
11 move to reopen the case in the event settlement is not perfected.

12 Dated this 21st day of June, 2023.

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14 MICHELLE L. PETERSON
15 United States Magistrate Judge
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